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10 Attorneys for Defendant  
AMERICAN AIRLINES, INC.

11  
12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 EDWARD E. ANDERSON,

16 Plaintiff,

17 v.

18 AMR The parent of AMERICAN  
19 AIRLINES INC, AMERICAN AIRLINES,  
and DOES 1 through 5 INCLUSIVE,

20 Defendants.

Case No. 07-cv-3527 WHA

**DECLARATION OF JOCELYN JAVIER  
IN SUPPORT OF DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT  
AND/OR SUMMARY ADJUDICATION OF  
CLAIMS AND OR JUDGMENT ON THE  
PLEADINGS**

Date: May 29, 2008

Time: 8:00 a.m.

Courtroom: 9

21  
22 I, JOCELYN JAVIER, hereby declare:

23 I currently am employed by American Airlines, Inc. (hereinafter "American") as  
24 Customer Service Manager Passenger Services at San Francisco International Airport in San  
25 Francisco, California ("SFO"), a position I have held since July 2000. For a short time, between  
26 September 2007 and April 12, 2008, I served as Customer Services Manager Ramp Services at SFO  
27 for American. I have personal knowledge of the information hereafter set forth. If called and sworn  
28 as a witness, I could and would competently testify thereto.

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1           2.     In my current capacity as Customer Services Manager Passenger Services at SFO, I  
2 am responsible for the daily operations of American's curbside baggage handling operations,  
3 including the skycaps employed by American who worked at SFO checking bags in at the curbside.

4           3.     One of the employees I am in charge of is Mr. Ed Anderson. In 2001, Mr. Ed  
5 Anderson came over from TWA to American as a skycap at SFO. At that time, Mr. Anderson was  
6 given a part-time shift of 8:00 to noon, five days a week.

7           4.     Mr. Anderson was assigned his own podium that he was required to use to create  
8 baggage tags for customers' luggage. His original podium eventually stopped functioning and he  
9 was assigned to use another podium. I believe this may have happened in the summer of 2007. The  
10 G2 skycaps were assigned a greater number of podiums because they comprised the majority of  
11 skycaps. American skycaps are instructed to use the podium to which they assigned so that  
12 American can keep track of the baggage tags they process on a daily basis. Podium assignments are  
13 not and never were made to Mr. Anderson or any one else because of the race or age of the skycap.  
14 Every skycap at SFO had a similar machine assigned to them. All of these podiums occasionally  
15 would have problems or go down, requiring a call to the software desk to get someone to service  
16 them. Whenever Mr. Anderson notified me that his machine was down, I called the software desk as  
17 quickly as possible to ensure that Mr. Anderson's machine was fixed. I also provided Mr. Anderson  
18 with the telephone number for the software desk so that he could contact it directly if his machine  
19 went down while I was not available in order to ensure his machine was fixed promptly. This is the  
20 same procedure that G2 skycaps follow when the machines they are using have problems. Repair  
21 service calls are not, and never have been made, based on the age or race of the skycap whose  
22 machine needed repairs.

23           5.     There are two locations where the skycaps who work at American's curbside set up  
24 their bag tagging machine podiums. One location is at the eastern end of the curb, near the  
25 beginning of American's operations at SFO, and the other location is at the western end of  
26 American's operations. Mr. Anderson has worked at that second position the entire time he has been  
27 a skycap with American.

28     ///

Dated this 24<sup>th</sup> day of April, 2008 at San Francisco, California.

Jocelyn Javier  
Jocelyn Javier